



**Wichita-Sedgwick County Metropolitan Area Planning Department**

November 16, 2018

Montoya Properties, LLS  
10105 E. 31<sup>st</sup> Street South  
Wichita, KS 67210

K.E. Miller Engineering, P.A.  
Attn: Kirk Miller  
117 E. Lewis  
Wichita, KS 67202

**RE: ZON2018-00046 – City Administrative Adjustment to Protective Overlay #255 as a result of a lot split LSP2018-26 creating Parcel 3 and adjusting boundaries of Parcels 1 and 2; generally located west of East Pawnee Avenue and north of Oak Knoll.**

**Legal Description:** Part of Lots 1 and 2, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas

Dear Applicants:

We received and reviewed your request for an Administrative Adjustment to P.O. #255 to General Provision #13, create Parcel 3 and adjust boundaries of Parcel 1 and Parcel 2. P.O. #255 shall be adjusted as follows:

General Provision #13:

A vehicle circulation plan shall be prepared for review and approval and include cross lot access between parcels 1 and 2, but not 3.

**Parcel 1**

*Commencing at the Western most Northwest corner of Lot 1, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas; thence S 89°43'00" E on the Lot line of said Lot 1, a distance of 435.17 feet, to a point of intersection on the West line of said Lot 1 and the Point of Beginning; thence N 0°00'00" E, on the West line of said Lot 1, a distance of 83.17 feet; thence S 89°43'00" E, a distance of 555.57 feet, to the East line of said Lot 1; thence S 27°04'45" E, on the East line of said Lot 1, a distance of 172.19 feet; thence, continuing on the East line of said Lot 1, on a tangent curve to the left, with a delta of 8°23'28", a radius of 838.88 feet, an arc length of 122.86 feet; thence S 62°55'15" W, a distance of 277.24 feet, to the East line of Parcel B described in "The Plaza at Cherry Creek Hills Lot Split of Part of Lots 1 and 2" and also being the East line of Parcel 3; thence N 27°04'36" W, on the East line of said Parcel B and Parcel 3, a distance of 339.78 feet; thence N 89°43'00" W, on the North line of Parcel 3, a distance of 181.00 feet, to the Northwest corner of Parcel 3; thence continuing N 89°43'00" W, a distance of 115.17 feet, to the point of intersection on the West line of said Lot 1 also being the Point of Beginning. Said parcel contains 120872.6 square feet ± or 2.77 acres ±.*

**Parcel 2**

***Beginning at the Easterly most corner of Lot 2, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas; thence, on the Southerly line of said Lot 2, S 39°41'15" W, a distance of 80.42 feet, thence, continuing on the Southerly line of said Lot 2, on a tangent curve to the right, with a delta of 50°35'45", a radius of 105.79 feet, an arc length of 93.42 feet; thence, continuing on the South line of said Lot 2, N 89°43'00" W, a distance of 193.71 feet, to the Southeast corner of Parcel B, described in "The Plaza at Cherry Creek Hills Lot Split of Part of Lots 1 and 2"; thence continuing N 89°43'00" W, on the South line of said Lot 2, a distance of 68.00 feet to the Southeast corner of Parcel 3; thence N 0°17'23" E, on the East line of Parcel 3, a distance of 131.38 feet, to the Southerly corner of Parcel 1; thence N 62°55'15" E, a distance of 277.24 feet, to a point on the East line of said Lot 2; thence on a non-tangent curve to the left with a delta of 14°50'30", a radius of 838.88 feet, and an arc length of 217.30 feet, to the Point of Beginning. Said parcel contains 69158.2 square feet ± or 1.59 acres ±***

**Parcel 3**

***Commencing at the Southwest corner of Lot 2, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas, thence S 89°43'00" E, on the South line of said Lot 2, a distance of 385.17 feet, to the Point of Beginning; thence N 0°00'00" E, on the West line of Parcel B, described in "The Plaza at Cherry Creek Hills Lot Split of Part of Lot 1 and Lot 2", a distance of 433.16 feet to a point on the South line of Parcel 1; thence S 89°43'00" E, a distance of 181.00 feet, also being the South line of Parcel 1; thence S 27°04'36" E, on the East line of said Parcel B, a distance of 339.78 feet, to the Northwest corner of Parcel 2; thence S 0°17'223" W, on the West line of Parcel 2, a distance of 131.38 feet, to the South line of said Lot 2; thence N 89°43'00" W, on the South line of said Lot 2, a distance of 335.00 feet, to the West line of said Parcel B, also being the Point of Beginning. Said parcel contains 122014.4 square feet ± or 2.8 acres ±***

***The following uses are permitted Parcels 1, 2 & 3: Limited and general convalescent care, limited and general day care, hospital, limited animal care, automated teller machine, bank/financial institution, medical service, microbrewery, nurseries and garden centers, general office, personal care service, personal improvement, limited and general printing and copying, general retail, self-service storage warehouse, limited and general manufacturing, warehousing, welding or machine shop and whole sale business services.***

***No building shall be used for any Manufacturing, Limited or General, or Welding or Machine Shop Use unless the entire frontage of the ground floor along the principal street frontage, Pawnee Avenue, is used for office space, display, or wholesale or retail sales."***

***Outdoor storage shall be only as an accessory use. Items stored outside shall located within an area with solid screening 6-8 foot tall around and will not be visible from any adjacent non- elevated street nor from ground level view of any adjacent lot.***

***Parking of trucks and motorized equipment on that portion of the site that will be used for limited and general manufacturing, warehousing, and welding or machine shop will be in the interior of the site, with the intent to maximize the distance between them and the residences located north and east of the site, thus reducing the impact of noise. All parking and areas will be per City Code.***

***Entrance to the south Parcel will be off of Oak Knoll, as approved by the Traffic Engineer and established by the vacation process to allow a drive onto Oak Knoll. No access is allowed off of Pawnee Avenue.***

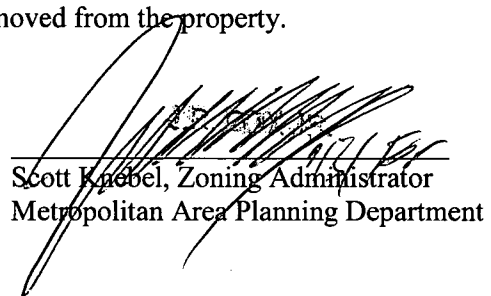
On the basis of our review, we find that adjusting the protective overlay in the manner stated above is consistent with the approved protective overlay and will not have an adverse effect on the protective overlay or adjacent properties, nor will it be a substantial deviation of the original protective overlay.

Our signatures below indicate that Protective Overlay #255 shall be adjusted as stated in this letter. This adjustment shall not be deemed to alter any other provisions of the protective overlay except as expressly stated herein.

The "Development Application" sign should now be removed from the property.



Dale Miller, Director  
Metropolitan Area Planning Department



Scott Knobel, Zoning Administrator  
Metropolitan Area Planning Department

cc: MABCD  
Pete Meitzner, CM District II  
Janet Johnson, Supervisor, Office of Community Service

# LOT SPLIT

## Part of Lots 1 and 2 The Plaza at Cherry Creek Hills

### WICHITA, SEDGWICK COUNTY, KANSAS

#### Part of the SW<sup>1</sup>/<sub>4</sub> of Section 32, Township 27 South, Range 2 East

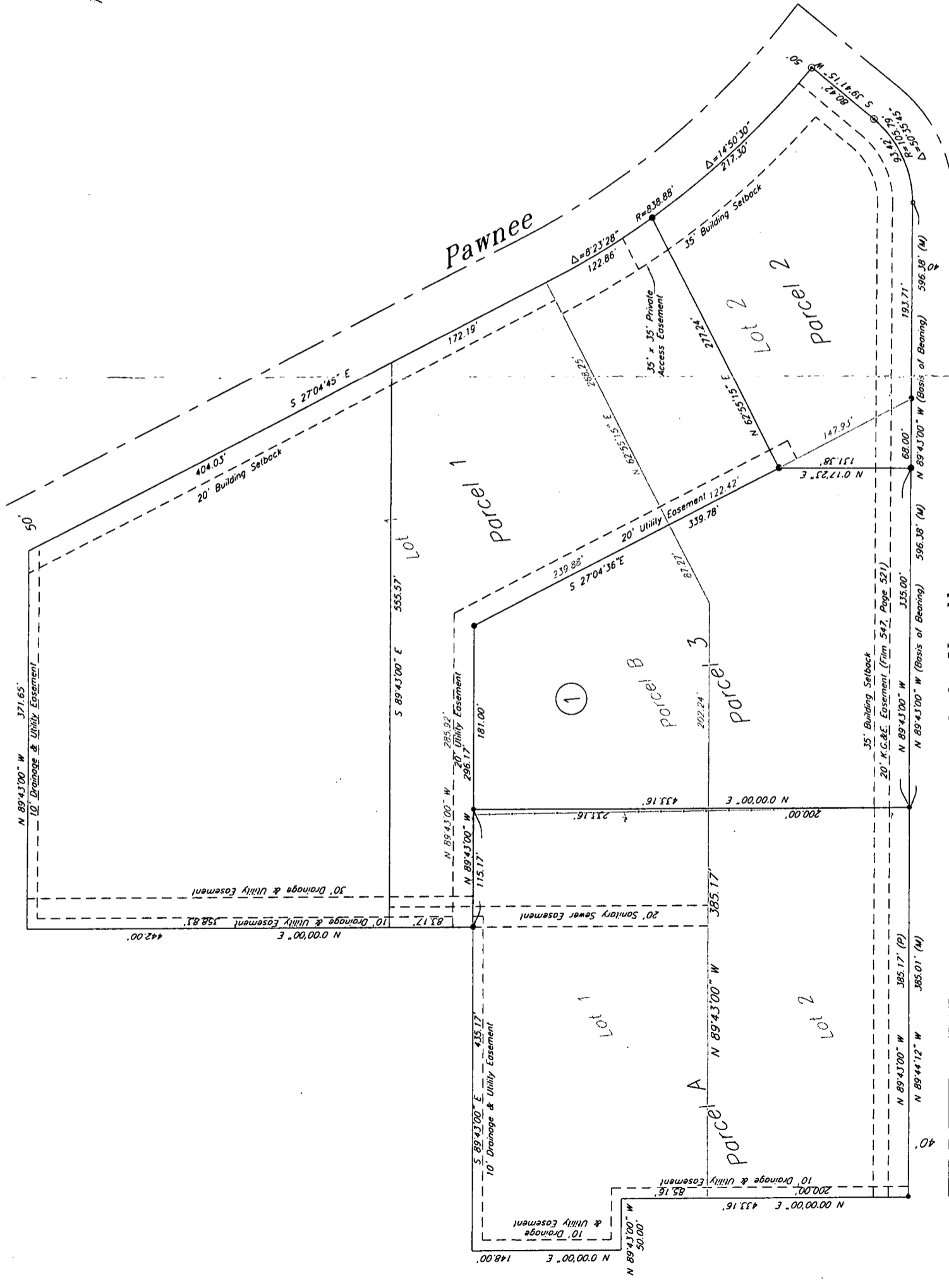
**LEGAL DESCRIPTION**

Part of Lots 1 and 2, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas, being more particularly described as:

**Parcel 1**  
Commencing at the Western most Northwest corner of Lot 1, Block 1, The Plaza at Cherry Creek Hills, Sedgwick County, Kansas; thence S 89°43'00" E on the Lot line of said Lot 1, a distance of 435.17 feet, to a point of intersection on the West line of said Lot 1 and the Point of Beginning; thence N 0°00'00" E, on the West line of said Lot 1, a distance of 83.17 feet; thence S 89°43'00" E, a distance of 555.57 feet, to the East line of said Lot 1; thence S 27°04'45" E, on the East line of said Lot 1, a distance of 172.19 feet; thence, continuing on the East line of said Lot 1, on a tangent curve to the left, with a delta of 82°28', a radius of 838.88 feet, and an arc length of 122.86 feet; thence S 62°55'15" W, a distance of 277.24 feet, to the East line of Parcel B described in The Plaza at Cherry Creek Hills Lot Split of Part of Lots 1 and 2 and also being the East line of Parcel 1; thence N 27°04'36" W, on the East line of said Parcel B and Parcel 1, a distance of 339.78 feet; thence N 89°43'00" W, on the North line of Parcel 1, a distance of 181.00 feet, to the Northwest corner of Parcel 1; thence continuing N 89°43'00" W, a distance of 115.17 feet, to the point of intersection on the West line of said Lot 1 and the Point of Beginning.

**Parcel 2**  
Beginning at the Southeast corner of Lot 2, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas; thence, on the Southerly line of said Lot 2, S 39°41'15" W, a distance of 80.42'; thence, continuing on the Southerly line of said Lot 2, on a tangent curve to the right, with a delta of 50°35'45", a radius of 105.79 feet and an arc length of 93.42 feet; thence, continuing on the South line of said Lot 2, N 89°43'00" W, a distance of 193.71 feet, to the Southeast corner of Parcel B, described in The Plaza at Cherry Creek Hills Lot Split of Part of Lots 1 and 2; thence continuing N 89°43'00" W, on the South line of said Lot 2, a distance of 68.00 feet to the Southeast corner of Parcel 1; thence N 0°17'23" E, on the East line of Parcel 1, a distance of 131.38 feet; thence N 62°55'15" E, a distance of 277.19 feet, to a point of the Easterly line of said Lot 2; thence on a non-tangent curve to the left with a delta of 14°50'30", a radius of 838.88 feet, and an arc length of 217.30 feet, to the Point of Beginning.

**Parcel 3**  
Commencing at the Southwest corner of Lot 2, Block 1, The Plaza at Cherry Creek Hills, Wichita, Sedgwick County, Kansas; thence S 89°43'00" E, on the South line of said Lot 2, a distance of 385.17 feet, to the Point of Beginning; thence N 0°00'00" E, on the West line of Parcel B, described in The Plaza at Cherry Creek Hills Lot Split of Part of Lot 1 and Lot 2, a distance of 433.16 feet to a point on the South line of Parcel 2; thence S 89°43'00" E, a distance of 181.00 feet, also being the South line of Parcel 2; thence S 27°04'36" E, on the East line of said Parcel B, a distance of 339.78 feet, to the Northwest corner of Parcel 3; thence S 0°17'23" W, a distance of 131.38 feet, also being the West line of Parcel 3; to the South line of said Lot 2; thence N 89°43'00" W, on the South line of said Lot 2, a distance of 335.00 feet, to the West line of said Parcel B and the Point of Beginning.



**Oak Knoll**

- LEGEND**
- 1/2" Rebar (found) KEMPA
  - 1/2" Rebar (found) SRB
  - 1/2" Rebar (set) KEMPA
  - ⊙ 5/8" Rebar (set) KEMPA
  - P Platted
  - M Measured

Bradley C. Ward PS #920  
Not original unless signed in blue ink

City of Wichita )  
Sedgwick County ) ss  
State of Kansas )

Lot Split No. \_\_\_\_\_  
Copy \_\_\_\_ of 2

I, Dale Miller, Director of Planning, Wichita-Sedgwick County Metropolitan Area Planning Department, do hereby certify under authority granted in the Subdivision Rules and Regulations that the lot split to which this stamp is affixed has been approved

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
20 \_\_\_\_\_

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING DEPARTMENT.

Dale Miller, Director of Planning

**KEMILLER**  
ENGINEERING PA  
117 E. Lewis, Wichita, KS 67202 (316)264-0242